

UNITED STATES DISTRICT COURT  
for the  
District of Maryland

Deutsche Bank Trust Co. Amercias, et al. \_\_\_\_\_  
Plaintiff \_\_\_\_\_ )  
\_\_\_\_\_  
V. \_\_\_\_\_ ) Civil Action No. 8:11-cv-1510 (AW)  
JANICE M. MCGURN, AS TRUSTEE OF THE TRUST BY JANICE M. MCGURN  
U/A DTD 09/22/1987 \_\_\_\_\_ )  
Defendant \_\_\_\_\_ )

**WAIVER OF THE SERVICE OF SUMMONS  
FOR THE SECOND AMENDED COMPLAINT**

To: Anthony T. Pierce  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I understand that pursuant to this Court's Order, dated August 17, 2011, the time for Defendants to respond to the Complaint, as amended, or commence motions practice in this action was stayed until further order by the Bankruptcy Court for the District of Delaware, or further order of this Court, and as a result thereof, the parties I represent must file and serve an answer or a motion under Rule 12 pursuant to such further order(s).

Date: 10/24/2011



Signature of the attorney or unrepresented party

Danny B. O'Connor

Printed name

Severn, O'Connor and Kresslein, P.A.  
50 Carroll Creek Way, Suite 340  
Frederick, Maryland 21701

Address

doconnor@fredericklaw.com

E-mail address

(301) 682-9840

Telephone number

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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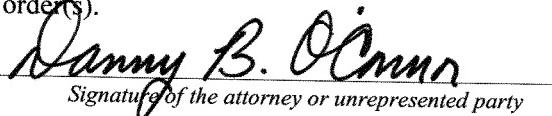
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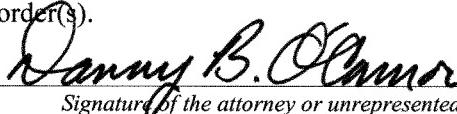
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Date: 10/24/2011



Signature of the attorney or unrepresented party

The Grace Trust  
Printed name of party waiving service of summons

Danny B. O'Connor

Printed name

Severn, O'Connor and Kresslein, P.A.  
50 Carroll Creek Way, Suite 340  
Frederick, Maryland 21701

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